

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE**

Lisa M. Brady,)
v.)
Plaintiff,)
Judge Mark E. Howard, et al.)
Defendants)

)

Case No. 1:21-cv-00614-PB

DEFENDANTS' MOTION TO DISMISS

The Honorable Mark E. Howard of the New Hampshire Superior Court (“Judge Howard”) and the Honorable Gary E. Hicks, James P. Bassett, Barbara Hantz Marconi, and Patrick E. Donovan of the New Hampshire Supreme Court (the “Supreme Court Justices”), appearing through the Office of the New Hampshire Attorney General as counsel, hereby move to dismiss this action in its entirety pursuant to Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6).

The Court should dismiss this action pursuant to Rule 12(b)(1) because the Court lacks subject matter jurisdiction under the Rooker-Feldman doctrine. Plaintiff’s claims are otherwise barred by judicial and sovereign immunity and should therefore be dismissed pursuant to Rule 12(b)(6). This motion is accompanied by a supporting memorandum of law. See L.R. 7.1(a)(2).

WHEREFORE, Judge Howard and the Supreme Court Justices respectfully request that the Court:

- A. Dismiss this action in its entirety; and
- B. Grant such further relief as is just and necessary.

Respectfully submitted,

THE HONORABLE MARK E. HOWARD, THE
HONORABLE GARY E. HICKS, THE HONORABLE
JAMES P. BASSETT, THE HONORABLE
BARBARA HANTZ MARCONI, and THE
HONORABLE PATRICK E. DONOVAN

By their attorney,

JOHN M. FORMELLA
ATTORNEY GENERAL

Dated: August 24, 2021

By: /s/ Anne M. Edwards

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CERTIFICATE OF SERVICE

I hereby certify that on August 24, 2021, copies of the foregoing were electronically served upon Lisa M. Brady via the Court's electronic filing system. (See ECF Doc. No. 3 (Plaintiff's Motion to Participate in Electronic Filing), granted by Endorsed Order of August 18, 2021 (Johnstone, M.J.)).

/s/ Anne M. Edwards

Anne M. Edwards